

APPENDIX II-C

RULEMAKING NOTICE FORM

Notice Number _____

Rule Number Various Fire 100 & Fire 200-900

1. Agency Name & Address:

Fire Standards & Training Commission
222 Sheep Davis Road
Concord, NH 03301

2. RSA Authority: 21-P:27, I

3. Federal Authority: N/A

4. Type of Action:

Adoption X

Amendment X

Repeal _____

Readoption X

Readoption w/ amendment X

5. Short Title: Readoption and Amendment of Fire Standards & Training Commission Rules

6. (a) Summary of what the rule says and the effect of the rule on those regulated:

The Commission is readopting and amending its rules because most will expire in August. The Commission has made some changes to the rules in order to make them more clear and unambiguous. The substantive changes to the rules are set forth below:

- Career fire personnel is amended to remove the monetary threshold in order to be considered full-time;
- Fire 204 (Rulemaking Hearings) and 205 (Explanation of Rule) are added as they are required by RSA 541-A:16, I (b) (3) and RSA 541-A:11, VII, respectively;
- Fire 404.01 is amended to eliminate the requirement of having 2 supervising instructors recommend a candidate to the commission to be designated as a state instructor and instead require only one mentor (senior instructor) make that recommendation of a candidate to the Commission;
- Fire 501.02(a) is amended so that a person who has been convicted of a felony is now cause for suspension of the person's certification.
- Fire 601.02(b)(3) e is repealed;
- Fire 701.01(b) sets forth all the criteria for disqualifying a candidate to a firefighter position if the background investigation discloses any of the proposed listed circumstances; and
- New Part 705 is added to allow a full-time career fire service personnel to have a lapse of no more than 30 days from a fire department without having to undergo all the training requirements a new candidate for certification would need.

6. (b) Brief description of the groups affected:

Those groups affected by the rules include candidates for full-time career fire fighters; fire departments of the State, political subdivisions, or private fire departments providing fire services to the general; Fire Standards and Training Commission; and, the Division of Fire Standards and Training, Department of Safety.

6. (c) Specific section or sections of state statute or federal statute or regulation which the rule is intended to implement: See Attached

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7. Contact person for copies and questions including requests to accommodate persons with disabilities:

Name: Marta A. Modigliani

Title: Attorney

Address: 33 Hazen Drive
Concord, NH 03305

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E-mail: rules@safety.state.nh.us
TTY/TDD Access: Relay NH 1-800-735-2964
or dial 711 (in NH)

8. Deadline for submission of materials in writing or, if practicable for the agency, in the electronic format specified: Thursday, May 15, 2008 at the conclusion of the public hearing

☒ Fax ☒ E-mail ☐ Other format

9. Public hearing scheduled for:

Date and Time: Thursday, May 15, 2008 at 10:00 a.m.

Place: Classroom 2
Fire Academy
222 Sheep Davis Road
Concord, NH 03301

10. Fiscal Impact Statement (Prepared by Legislative Budget Assistant)

FIS # 08:063, dated April 8, 2008

Please see attached.

11. Statement Relative to Part I, Article 28-a of the N.H. Constitution:

1. The proposed rules do not create a new program or responsibility or expand or modify an existing program or responsibility to any political subdivision.
2. The proposed rules do not mandate or assign a program or responsibility to any political subdivision of the state in such a way as to increase the costs the political subdivision must pay.
3. No state funding is necessary because the proposed rules do not mandate or assign a program or responsibility to any political subdivision so as to increase the costs the political subdivision must pay.